



# **Department of Justice**

---

**STATEMENT**

**OF**

**PATRICK L. MEEHAM  
UNITED STATES ATTORNEY  
EASTERN DISTRICT OF PENNSYLVANIA**

**BEFORE THE**

**COMMITTEE ON JUDICIARY  
UNITED STATES SENATE**

**CONCERNING**

**KIDS KILLING KIDS: ESCALATING YOUTH VIOLENCE**

**PRESENTED ON**

**JUNE 13, 2005**

**STATEMENT OF  
PATRICK L. MEEHAN  
UNITED STATES ATTORNEY  
EASTERN DISTRICT OF PENNSYLVANIA  
DEPARTMENT OF JUSTICE**

**BEFORE THE COMMITTEE ON THE JUDICIARY  
UNITED STATES SENATE**

**CONCERNING  
YOUTH VIOLENCE REDUCTION STRATEGIES**

**PRESENTED ON  
JUNE 13, 2005**

Mr. Chairman and members of the Committee, good morning. I am Patrick L. Meehan, United States Attorney for the Eastern District of Pennsylvania. I want to thank you for the opportunity to testify today about youth violence and about our office's efforts to combat juvenile violence in the nine-county area comprising the Eastern District of Pennsylvania.

Our office is keenly aware of the problem of juvenile violence. We understand the urgency of stopping both violence committed by youth and violence committed against youth.

According to statistics compiled by the Pennsylvania Department of Education, across Pennsylvania we are continuing to see a large number of violent incidents reported by school officials. In Philadelphia, the number of incidents reported to police by schools has climbed from approximately 2,100 incidents in 2000-2001 to approximately 3,100 incidents for the 2002-2003 school year. During that same period, the number of incidents involving a weapon at school has grown from 859 to 932 in Philadelphia. Statewide, we continue to see about 41

incidents a year involving firearms in schools. In Philadelphia, the number of reported incidents involving firearms in schools has dropped from 16 in the 2000-2001 school years to 10 in the 2002-2003 school year.

What should not be lost in these statistics is the harsh impact that firearms violence has on families and communities. The death of 10 year-old Faheem Thomas-Childs on the playground in his elementary school in North Philadelphia brought that reality home to many in our region. On February 14, 2002, at approximately 9 a.m., while children were just beginning their day at Pierce Elementary School, two rival gangs started shooting at each other, firing more than 60 rounds. One bullet found an unintended target – the face of Faheem Thomas-Childs who was standing on the school playground. Faheem's tragic death pierced all our hearts.

In addition to these violent acts at or near our schools, we continue to see our young citizens, including a substantial number of children, victimized by firearms violence. In 2003, there were 28 people 17 years old and under murdered in Philadelphia. Of this number, 15 were killed by firearms.

Everyone here today wants to stop these tragic deaths. I'm here to tell you about our office's efforts in combating violent crime with the hope that our experience may help in combating violence among youth.

As the Committee knows, prosecution of juvenile offenders is done almost entirely by local prosecutors; federal prosecutors, constrained by federal jurisdictional limits, are focused almost exclusively on adult offenders. This is not to say that federal prosecution efforts are divorced from the problem of violence committed by youth or violence committed against youth.

Our office is engaged in a robust effort to attack firearms violence and, to the extent this coincides with youth crime, we are involved.

Let me begin by explaining our federal firearms program and then more specifically address our efforts to combat youth violence.

### **PROJECT SAFE NEIGHBORHOODS**

The USAO has maintained a substantial commitment to reducing firearms violence throughout the nine-county Eastern District of Pennsylvania. Our district includes Philadelphia, Delaware, Montgomery, Bucks, Lehigh, Northampton, Berks, Chester and Lancaster counties. The Project Safe Neighborhoods Program is the chief vehicle we use to combat firearms violence. In 2001, the President and the Attorney General announced Project Safe Neighborhoods, a nationwide commitment to reduce gun crime in the United States through intensive collaboration with federal, state, and local agencies, along with community organizations. At its core, PSN recognizes that violent criminal organizations are frequently the most disruptive force in many neighborhoods, and that responses to these criminal organizations among various law enforcement agencies -- both federal and local -- need to be coordinated. By designing a strategic plan that focuses on the unique problems of each community, the PSN strategy utilizes local police departments, federal agents, and federal and local prosecutors to do what each does best.

In the Eastern District of Pennsylvania, we use the Project Safe Neighborhoods initiative to coordinate diverse law enforcement resources in the district to combat violent crime to achieve the goals of 1) dismantling violent organizations, 2) stopping illegal gun traffickers, and 3) enforcing the law against prohibited persons possessing firearms. We also use it to reach out to

the community to ensure that every person in the district who is at risk for illegally using a firearm or being a victim of firearms violence understands the extraordinary perils and consequences from the illegal possession and use of firearms. In connection with this goal, Assistant United States Attorneys go to all the prisons and juvenile detention facilities in the Eastern District of Pennsylvania to educate offenders about PSN and the tough federal sentences that are imposed on violent offenders. "Put Down the Guns," a video program that powerfully depicts the cost of firearms violence on offenders, victims, families and communities is shown to all audiences.

Let me talk briefly about the components of the Project Safe Neighborhoods initiative which our office has coordinated to combat firearms violence in the district. As you will hear, PSN's basic premise, intensive collaboration among federal, state, and local agencies, along with community organizations, is at the heart of each of these components.

**1. Project Sentry**

One component of PSN is designed to meet the issue of youth violence head on. Project Sentry is the safe schools segment of Project Safe Neighborhoods. The mission is straightforward: bring together federal, state, and local law enforcement to prosecute and supervise juveniles who violate federal and state firearms laws; to prosecute adults who illegally provide firearms to juveniles; and to promote safety through community outreach efforts.

- In prosecuting and supervising juveniles who violate state and federal firearms laws, five counties in our district have implemented or expanded their juvenile supervision programs under Project Sentry. Philadelphia and Delaware Counties have received federal funding under the program. Philadelphia used the money to expand its existing juvenile intensive supervision

program to other areas of the city. Delaware County used the money to establish an intensive juvenile supervision called Operation Porch Light. Under this program, a juvenile probation officer, Chester City police officer and Delaware county prosecutor work together to provide juvenile offenders with the intense supervision designed to prevent the offenders from slipping back into criminal behavior.

The USAO has been working closely with the Philadelphia District Attorney's Office to address violence among youth. We have actively participated, and through Project Safe Neighborhoods, contributed \$700,000 to the Youth Violence Reduction Program (YVRP). We have also provided assistance when needed, including instituting a lecture series called "Don't fall down in the hood," about the consequences of firearms possession.

Lehigh, Berks and Lancaster Counties have established similar intensive juvenile supervision programs.

- Project Sentry's investigations and prosecutions focus on adults who furnish firearms to juveniles. Each time a gun turns up in a school or otherwise in the hands of a juvenile, or is used to victimize a juvenile, ATF agents trace the firearm from the original purchaser forward into the hands of the juvenile or person who used the firearm against the juvenile. Where the trace reveals that an adult illegally transferred the firearm to a juvenile, the adult is prosecuted in federal court. To date, the USAO has prosecuted four adults for illegally transferring firearms to juveniles.

- Project Sentry's community outreach efforts target educating middle and high school students in our district as well as teenagers in juvenile detention centers or in court-ordered probation programs on the dangers of illegally possessing or using firearms. The video "Put

Down the Guns,” which warns of the massive federal penalties that can be imposed for illegal use and possession of firearms as well as the reality of firearms injuries, is at the core of the outreach. AUSAs in our office are committed to going to schools and delivering the message. Partnering with corrections and school officials, we have received positive feedback from the presentations. Anecdotally, we have received information that many young people have chosen not to carry firearms to avoid prison. However, more needs to be done, including presenting youth with social and “refusal” skills allowing them to “opt out” of dangerous situations and making parents aware of the need for age-appropriate rules, parental monitoring, and the potential consequences to them of the child’s behavior. Also important is delivery of consistent messages by all sectors of the community, including not only law enforcement and schools but also grass-roots organizations – both faith based and secular – , health care providers, and the local media.

- The United States Attorney's Office has participated in two re-entry programs for juveniles who have been involved in the criminal justice system. The first program is known as “Don't Fall Down in the Hood,” which is a probationary program for juveniles who have violated state laws. The juveniles are required to attend numerous sessions that teach them about their obligation to be good citizens, as well as informing them about the dangers of firearms violence. The second program is known as “RETI-WRAP,” which also is a re-entry program for juveniles who have been involved in the criminal justice system prior to their re-entry into the Philadelphia school system. The United States Attorney's Office participates in these programs by providing information about Project Safe Neighborhoods, the physical dangers of firearms violence and the consequences that flow from violating gun laws when they are prosecuted by federal authorities.

## **2. ATF's Gun Trafficking Initiative**

Firearms trafficking, the illegal diversion of firearms out of lawful commerce and into the hands of prohibited persons (such as convicted felons, drug dealers, and juvenile gang members) is often the method by which gangs arm themselves. By using straw purchasers (those who buy guns purportedly for themselves but actually for other, often prohibited, persons), gang members acquire firearms from federally licensed dealers. Under this initiative, ATF targets those people who are prohibited from obtaining firearms and people who operate as straw purchasers. The ATF Firearms Trafficking initiative has targeted and convicted more than 160 people who are either prohibited persons who tried to obtain firearms illegally (for example, convicted felons) or straw purchasers.

The ATF Firearms Trafficking initiative also is used in support of Project Sentry in that ATF investigates adults who furnish firearms to juveniles. Each time a gun turns up in a school or otherwise in the hands of a juvenile, or is used to victimize a juvenile, ATF agents trace the firearm from the original purchaser to the hands of the juvenile or the person who used the firearm against the juvenile. Where the trace reveals that an adult illegally transferred the firearm to a juvenile, the adult is prosecuted in federal court. Since 2002, we have successfully prosecuted four defendants for illegally providing firearms to juveniles.

## **3. County PSN Task Forces**

One component of the PSN initiative is the creation of separate county PSN Task Forces in each of the nine counties that make up our district. Federal, state and local law enforcement agencies contribute law enforcement personnel to each task force. Our office contributes at least one AUSA to each county task force and the county district attorney contributes at least one –



and sometimes as many as four – county prosecutors to their respective task force. The county prosecutors are cross-designated as Special Assistant United States Attorneys and, after training, are ready to prosecute criminal cases in federal court. Our AUSAs and the cross-designated county prosecutors work hand-in-hand with the law enforcement team to target the most violent individuals, groups and gangs operating in the county. The locals know the players; we have the investigative tools and expertise. Working together, the County Task Forces prosecute the most violent offenders in federal court where the firearm penalties are severe: violent, gun-wielding drug dealers, robbers, and armed career criminals face, tough mandatory prison sentences.

We have seen at least three main benefits to using the County PSN Task force approach to target the most violent individuals and groups in the district: first, the PSN initiative has resulted in enhanced and unprecedented cooperation among federal, state and local law enforcement authorities; second, the coordinated approach has resulted in the prosecution of over 1,000 violent, gun-wielding offenders in the four years since the initiative was launched in 2001; and third, as a result of these prosecutions and the tough federal penalties, many of these offenders have provided law enforcement officials with valuable information that law enforcement then leveraged to solve other crimes. The potency of our coordinated efforts against violent crime is most evident in homicide prosecutions in our district: federal and local law enforcement has solved more than 70 open homicide cases based on information obtained from defendants facing prosecution pursuant to the PSN initiative.

As part of our coordinated approach with the County PSN Tasks Forces, we have initiated the State Alternative to Federal Prosecution program or SAP program in each of the counties in the district. The aim of the SAP program in each county is: (1) to try to change the local

sentencing culture where gun cases routinely result in probationary sentences or short prison sentences; (2) to secure a substantial sentence in the state court for offenders who warrant a tougher sentence but who are not so dangerous as to warrant federal prosecution; and (3) to preserve federal resources. Under this program, county and federal prosecutors identify repeat offenders who have firearms cases pending in local courts. County prosecutors then notify the offenders that federal prosecutors will "adopt" the local firearms charges into the federal system – where the sentences are tougher – unless the defendant pleads guilty in state court to a higher sentence than state guidelines allow for but lower than the federal guidelines. Dwayne Stutts robbed taxi cab drivers at gunpoint in Philadelphia. He accepted a 20 to 40 year sentence under the SAP program rather than face a life sentence in federal court. If a defendant rejects the SAP offer, the U.S. Attorney's Office will adopt the state case and prosecute the defendant in federal court for federal firearms offenses. Allen Gaddy was a convicted felon selling crack cocaine on a North Philadelphia street corner. When police caught him selling crack, they also caught him with handgun. Gaddy was offered by the district attorney a negotiated sentence of 3 to 6 years imprisonment. But Gaddy rejected the offer and a prosecutor in our office accepted his case. Gaddy was indicted, convicted by a federal jury and was sentenced to almost 15 years in jail, more than double the time offered under the SAP program.

I am pleased to report that statistics establish that our county PSN Task Force approach has had considerable impact. In Berks, Lancaster, and Chester counties violent firearms crime has substantially declined. In Berks County, since 2002, homicides are down 34%, homicides by firearm are down 48%, robberies are down 22%, robberies by firearm are down 9%, aggravated assaults by firearm are down 25% and the total number of firearms cases is down 33% since

2003. In Lancaster County, the statistics are equally impressive: homicides by firearm are down 50%, assaults with firearms are down 54%, and robberies with firearms are down 59%. Chester County has seen a 40% decrease in the number of homicides and a 33% decrease in homicides by firearm. Robberies with a firearm are down by 45%.

#### **4. Violent Crime Impact Team or VCIT**

On June 1, 2004, DOJ announced the formation of the Violent Crime Impact Team or "VCIT" initiative led by ATF. Deployed in 15 cities, VCITs focus law enforcement efforts on the most violent individuals and their associates – arresting the "worst of the worst." Philadelphia was fortunate to be one of the cities where VCIT has been deployed. In Philadelphia, we have an outstanding partnership among the U.S. Attorney's Office, the Philadelphia District Attorney's Office, ATF, the Philadelphia Police Department, DEA, the U.S. Marshals Office, and the Pennsylvania Bureau of Narcotics Investigation with the express goal of decreasing the number of violent crimes committed with firearms in Philadelphia's 16<sup>th</sup> Police District. These law enforcement entities bring together their areas of expertise to aggressively pursue violent criminals in that district. The U.S. Marshals' participation allows the team to leverage the fugitive status of many of the offenders. DEA's investigative expertise with drug distributing organizations is an important tool. The police department brings its street knowledge of the district to the team.

The integrated approach has brought a measure of success to the program nationwide. Locally, during the first six months of VCIT operation in the 16th district, July 1 to December 31, 2004, the number of homicides and violent felonies in the district dropped dramatically. The monthly average for violent crime committed with firearms was the lowest in four years and

homicides by firearm dropped almost 70%. These results demonstrate the important role VCIT plays in the fight against violent crime in Philadelphia.

#### **5. The Hobbs Act Task Force**

In September 2002, the USAO and the FBI, as part of our PSN program, established the Hobbs Act Robbery Task Force to aggressively target criminals who commit serial armed robberies of convenience stores, corner groceries, gas stations, pharmacies and liquor stores. Our aim is to deter such serial offenders from preying on local commercial establishments by subjecting violators to tough mandatory minimum sentences. Since September 2002 more than 100 defendants have been convicted and sentenced in federal court to an average period of incarceration of more than 21 years. In addition to taking violent, serial offenders off the streets for long periods of time, the FBI has used these convictions to obtain information about other violent crimes. Again, defendants facing lengthy mandatory sentences have provided the FBI and local law enforcement with information used to go after other violent offenders. In Lehigh County, law enforcement officials were ecstatic that a Hobbs Act robbery prosecution of nine defendants involved in 12 armed robberies of restaurants, bars and other businesses, ultimately led to the conviction of Jeremy Fontanez, the leader of the robbery group, for the brutal murder of an employee of an Allentown sportsbar. Other defendants, eager at the chance to reduce their lengthy federal sentences, cooperated with the FBI and implicated Fontanez.

#### **Conclusion**

In conclusion, we have seen first hand that coordination among law enforcement officials and the committed involvement of churches and other community groups has been indispensable in combating violent crime. When we have marshaled the expertise of law enforcement and join

it with the public's involvement in the initiative, we have seen a dramatic down turn in violence in the district. There is every reason to believe that the same type of coordinated efforts can produce dramatic results in the area of juvenile violence.

Thank you.